

UNITED STATES DISTRICT COURT
for the
Southern District of Texas

United States of America

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v.

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)

Kayla Jocelyn GARCIA
YOB: 2001 / COC: US

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Case No. 7:23-mj-875

United States Courts
Southern District of Texas
FILED

Defendant(s)

May 06, 2023

CRIMINAL COMPLAINT

Nathan Ochsner, Clerk of Court

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 5, 2023 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 USC §111(a)(1)

Forcibly assault, resist, oppose, impede, intimidate and interfere with
Customs and Border Protection Officer D.S., a federal officer, while he
was engaged in the performance of his official duties

This criminal complaint is based on these facts:

See Attachment A

Continued on the attached sheet.

Approved by AUSA L. Fry

/s/ Ricardo Deanda

Complainant's signature

Ricardo Deanda, HSI Special Agent

Printed name and title

Sworn to telephonically and signed electronically
per Fed.R.Cr.4.1

Date: 05/06/23 at 3:56 p.m.

City and state: McAllen, Texas


Juan F. Alanis
Judge's signature

Juan F. Alanis, United States Magistrate Judge

Printed name and title

ATTACHMENT A

On May 5, 2023, Customs and Border Protection Officers (CBPOs) assigned to the Roma, Texas Port of Entry (POE) were conducting their official duties at primary inspection, when Officers encountered Kayla Jocelyn Garcia ("GARCIA") who was attempting to enter the Untied States as the passenger in a vehicle.

During the secondary inspection, the passengers were removed from the vehicle so officers could conduct a search. Officers later advised GARCIA that she needed to be escorted inside and when the officers reached to grab GARCIA's arm to escort her inside, GARCIA immediately started resisting by pulling her arm away and using her bodyweight to get away from the officers. CBPO D.S. then began to assist by grabbing GARCIA's right arm to move it behind her back to be handcuffed. Once GARCIA's hand was behind her back, she grabbed Officer D.S.'s left thumb and started torquing it backwards, away from the palm side of his hand and away from the other fingers. CBPO D.S. gave GARCIA a verbal command to stop, which GARCIA ignored.

GARCIA continued to resist using her body to push CBP officers away. GARCIA then donkey kicked CBPO D.S. in the leg and called him a racial slur. GARCIA then continued to resist and struck multiple CBPOs, including Officer D.S., in the legs and arms while they attempted to grab her legs to prevent any further strikes.

HSI Special Agent responded to the Roma, Texas POE and interviewed GARCIA. During the interview GARCIA admitted that she was resisting CBPOs who were attempting to arrest her and that she had kicked one of the officers.